

Amendments to the Claims

Please amend the claims as indicated in the following recitation of pending claims:

1. (Currently amended) Apparatus for a recipient mobile terminal for facilitating the selective copying of executable content from a provider mobile terminal to the recipient mobile terminal, the content including cost indicia and being executable at the provider mobile terminal, ~~and after copying to be executable at the recipient mobile terminal~~, wherein the mobile terminals are peer devices, said apparatus comprising:

- a recipient-terminal downloading connector selectably operable to effectuate a first communication link with the provider mobile terminal;
- a credit payment indicator for containing at least an indicia of creditworthiness of a recipient-terminal user; and
- a downloading controller coupled to said payment indicator and to said downloading connector, said downloading controller ~~for~~ for:
 - permitting said recipient-terminal downloading connector to effectuate the first communication link with the provider mobile ~~terminal~~, terminal;
 - ~~and for~~ determining whether the indicia of creditworthiness meets a selected ~~threshold~~, threshold; and
 - ~~for~~ effecting the copying of the content by way of the first communication link if the determination indicates the indicia of creditworthiness meets the selected threshold;

wherein said downloading controller is resident in the recipient mobile terminal.

2. (Previously presented) The apparatus of claim 1 wherein the provider mobile terminal comprises a provider-terminal downloading connector and wherein said recipient-terminal downloading connector is engageable with the provider-terminal downloading connector.

3. (Previously presented) The apparatus of claim 2 wherein a point-to-point connection is formed between the provider mobile terminal and the recipient mobile terminal when said provider-terminal downloading connector engages with said recipient-terminal downloading connector.
4. (Previously presented) The apparatus of claim 3 wherein said provider-terminal downloading connector and said recipient-terminal downloading connector each comprise executable downloader programs.
5. (Currently amended) The apparatus of claim 1 wherein said recipient-terminal downloading connector comprises an ~~executable~~ downloader program [[,]] executable at the recipient mobile terminal.
6. (Previously presented) The apparatus of claim 1 wherein the third-party content executable at the provider mobile terminal comprises a selected application program selected from amongst a plurality of application programs and wherein said recipient-terminal downloading connector is actuatable by the recipient-terminal user to select the selected application program from amongst the plurality of application programs.
7. (Original) The apparatus of claim 1 wherein said payment indicator is releasably engageable with the recipient mobile terminal, coupled to said downloading controller when engaged with the recipient mobile terminal.

8. (Previously presented) The apparatus of claim 7 wherein the recipient mobile terminal further comprises a card-member receiving platform and wherein said payment indicator comprises a payment card containing the indicia of the creditworthiness of the recipient-terminal user stored thereon, said payment card releasably positionable at the card-member receiving platform to be coupled to said downloading controller when positioned thereat.

9. (Original) The apparatus of claim 1 wherein said payment indicator comprises electronic-wallet software executable at the recipient mobile terminal.

10. (Previously presented) The apparatus of claim 1 wherein the selected threshold of creditworthiness is an indication that financial resources are available and at least equal to the cost indicia.

11. -- 13. (Cancelled)

14. (Previously presented) The apparatus of claim 1 wherein the content further has payment account depository indicia associated therewith, the payment account depository indicia indicating the location to which said recipient-terminal downloading connector is to effectuate the second communication link.

15. (Currently amended) A method for facilitating the selective copying of executable content from a provider mobile terminal to a recipient mobile terminal that is a peer device of the provider mobile terminal, the content including cost indicia ~~and being executable at the provider mobile terminal~~, and after copying to be executable at the recipient mobile terminal by a recipient mobile terminal user, said method comprising:

forming a first communication link between the recipient mobile terminal and the provider mobile terminal;

comparing, in the recipient mobile terminal, the indicia of creditworthiness with the cost indicia to determine whether at least a selected threshold of creditworthiness has been met; and

downloading the content by way of the first communication link to the recipient mobile terminal if the indicia of creditworthiness is determined to be at least the selected threshold.

16. (Previously presented) The method of claim 15 wherein the selected threshold of the indicia of creditworthiness is based on whether the user has available financial resources equal to the cost indicia.

17. (Previously presented) The method of claim 15 comprising the additional operation, prior to said operation of comparing, to provide the indicia of creditworthiness to the recipient mobile terminal.

18. (Original) The method of claim 17 wherein said operation of providing the indicia of creditworthiness to the recipient mobile terminal comprises positioning a payment card containing the indicia of creditworthiness therein at the recipient mobile terminal.

19. (Original) The method of claim 17 wherein the indicia of creditworthiness comprises a part of electronic-wallet software executable at the recipient mobile terminal and wherein said operation of providing comprises updating the part of the electronic-wallet software.

20. (Previously presented) The method of claim 15 wherein the content itself has proprietor indicia associated therewith, the proprietor indicia indicating a payee entity to whom a charge associated with execution of the content is selectably to accrue, and wherein said method further comprises the operations of:

- terminating the first communication link;
- forming a second communication link between the recipient mobile terminal and a payment account depository associated with the payee entity;
- debiting the indicia of creditworthiness for the content downloaded to the recipient mobile terminal; and
- crediting the payment account correspondingly.

21. -- 22. (Cancelled)

23. (Currently amended) A method for distributing content using a plurality of peer devices, each peer device operable in a communication network, said method comprising the steps:

installing the content in a first peer device, the content being associated with ownership indicia, wherein the ownership indicia comprises cost indicia and payment indicia;

receiving, in the first peer device, a request from a second peer device for the ownership indicia associated with the content;

transmitting the ownership indicia from the first peer device to the second peer device;

comparing the cost indicia to creditworthiness indicia associated with the second peer device to determine if the creditworthiness indicia meets a selected threshold; and

copying the content from the first peer device to the second peer device if the comparing step determines that the threshold has been met.

24. (Currently amended) The method of claim ~~24~~ 23, further comprising the step of effecting payment for the content through the communication network as indicated by the payment indicia.

25. (Currently amended) The method of claim ~~22~~ 24, wherein the step of effecting payment through the communication network comprises the step of debiting the creditworthiness indicia in an amount corresponding to the cost indicia.

26. (Currently amended) The method of claim ~~24~~ 23, wherein the peer devices operable in a communication network are mobile terminals operable in a mobile telecommunication network.

Application No.: 09/337,113
Amendment dated: 26 October 2004
Reply to Office Action mailed: 27 July 2004

27. (New) The method of claim 23, further comprising the step
of executing the content at the first peer device.